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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,507	09/18/2000	Il Won Cho	P2051	4597

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EXAMINER

HARRY, ANDREW T

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 09/16/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/664,507

Applicant(s)

CHO, II WON

Examiner

Andrew T Harry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Examiner acknowledges the receipt of the Applicant's amendment filed July 11, 2003. Of the claims only claim 1 has been amended and no new claims have been added in the application.

Response to Arguments

Applicant's arguments filed with the above-mentioned amendment have been fully considered but they are not persuasive.

The Applicant explains that in his teachings the method of managing a foreign mobile subscriber as performed through a Visitor Location Register and that *Koster* in now way makes any mention of VLR. The Examiner concedes that *Koster* does not explicitly mention that a VLR performs the activation and registration of the mobile device. However, *Koster* does describe an International Roaming Service Home Location Register (IRS HLR) which functions identically to a VLR in the context as described by *Koster*. See *Koster*, col. 5 lines 15-67. *Koster*, in fact, states that the IRS HLR is included in the "visited cellular system," thus making it a location register in a visited system and gives it parallel meaning to a VLR. See *Koster*, col. 5 lines 16-25. In this case the Applicant appears to be describing a component in his system that functions identically to a component in the prior art. However, naming this component differently than it is named in the prior art fails to distinguish the Applicant's invention from the prior art. Therefore, for at least the reasons stated above, the examiner maintains his rejection of the claims as stated in the initial office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1- 10 are rejected under 35 U.S.C. 102(e) as being anticipated by ***Koster*** U.S. Patent 6,259,914 (“*Koster*”). *Koster* describes a system which is to be implemented on a PCS system therefore the acronyms used by *Koster* will be different than those disclosed on the instant invention. However, the Examiner maintains that the methods implemented by *Koster* and the methods implemented by the instant invention are, in all other ways, nearly identical.

As pertaining to **claim 1**, *Koster* teaches a method for managing a foreign mobile subscriber in a visitor location register (VLR), or international roaming service home location register (IRS HLR) of a mobile switching center (MSC) to provide a roaming service (see *Koster*, abstract), comprising the steps of:

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(a) upon receipt of a call request from a mobile terminal, determining whether a subscriber of the mobile terminal is a foreign mobile subscriber by checking a mobile country code (MMC) and a mobile network code (MNC) of an international mobile subscriber identification (IMSI) number received from the mobile terminal (see *Koster*, col. 5 lines 15-51).

(b) determining whether roaming service is established for a country of the foreign mobile subscriber by checking if the country code received from the foreign mobile subscriber exists in a country code index table of the VLR when the subscriber in step (a) is determined to be a foreign mobile subscriber (see *Koster*, col. 5 lines 52-67);

(c) determining whether the service provider of the foreign mobile subscriber is a roaming service provider by checking a service provider index table after determining that roaming service for a country of the foreign mobile subscriber is established by checking the country code identified in step (b) (see *Koster*, col. 5 lines 15-67); and

(d) providing service to the foreign mobile subscriber while managing the corresponding number in the order of the country code index table number, the service provider index table number and a mobile station identification number (MIN) after determining that the service provider of the foreign mobile subscriber is a roaming service provider identified in step (c) (see *Koster*, col. 5 lines 15-67).

As pertaining to **claim 2**, in *Koster's* method the foreign mobile subscriber's request for service is discarded when the country code of the foreign mobile subscriber does not exist in the country code index (see *Koster*, col. 6 lines 1-17).

As pertaining to **claims 3 and 4**, in *Koster's* method the country code index table comprises a table in which a prefix is comprised of the MMC and the MNC of the IMSI and the

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table has an index value corresponding to the roaming service country code (see *Koster*, col. 5 line 32 –col. 6 line 17).

As pertaining to **claims 5 and 6**, in *Koster's* method the service provider index table has an index value corresponding to a public land mobile network (PLMN) value of the IMSI value (see *Koster*, col. 6 lines 1-17).

As pertaining to **claim 7**, *Koster* teaches a method for managing data of a VLR or ISR VLR including a country code index table and a service provider index table for a roaming service of a foreign mobile subscriber in an MSC (see *Koster*, abstract), comprising the steps of:
upon receipt of country code table data and service provider index table data for the roaming service of the foreign mobile subscriber from a device connected to the MSC, checking a class of an operator from which the data is transmitted (see *Koster*, col. 4 lines 48-65); and
updating the country code index table data and the service provider index table data in the VLR, when the operator's class is an accessible class (see *Koster*, col. 4 lines 48-65).

As pertaining to **claim 8**, in *Koster's* method the country code index table comprises a table in which a prefix is comprised of MMC and MNC of the IMSI, and the table has an index value corresponding to the roaming service country code (see *Koster*, col. 5 line 32 –col. 6 line 17).

As pertaining to **claims 9 and 10**, in *Koster's* method the service provider index table has an index value corresponding to a PLMN value of the IMSI (see *Koster*, col. 6 lines 1-17).

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Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew T Harry whose telephone number is 703-305-4749. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ATH



Marsha D Banks-Harold

MARSHA D. BANKS-HAROLD
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